

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

GEM YIELD BAHAMAS LIMITED and GEM
GLOBAL YIELD LLC SCS,

Petitioners,

vs.

MULLEN TECHNOLOGIES, INC. and
MULLEN AUTOMOTIVE, INC.,

Respondents.

Case No. 1:24-cv-01120-KPF

Related Case No. 1:23-cv-11268-KPF

Hon. Katherine Polk Failla

[PROPOSED] ORDER AND JUDGMENT

Respondents Mullen Technologies, Inc. and Mullen Automotive, Inc., having moved this Court pursuant to the Court’s May 31, 2024 Order (ECF No. 83), Rule 56 of the Federal Rules of Civil Procedure, the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 9 U.S.C. § 201 *et seq.*, and the Federal Arbitration Act, 9 U.S.C. § 10 *et seq.*, for an Order (i) granting Respondents’ Motion for Summary Judgment (the “Motion”) to vacate both the Partial Final Award on Liability and the Final Award (together, the “Awards”) entered by Arbitrator Mark C. Morril in an arbitration proceeding between Petitioners and Respondents, entitled *GEM Yield Bahamas Limited and GEM Global Yield LLC SCS v. Mullen Technologies, Inc. and Mullen Automotive, Inc.*, AAA Case No. 01-21-0016-7001; (ii) denying Petitioners’ anticipated motion to confirm the Awards; and (iii) granting such other and further relief as the Court deems just and proper; and Respondents having duly come to be heard before this Court; and upon this Court’s due consideration of Respondents’ Motion, dated July 10, 2024, Respondents’ accompanying Memorandum of Law in Support of their Motion, dated July 10, 2024, and the parties’ Joint Rule 56.1 Statement of Undisputed Material Facts and Joint

Appendix of Exhibits, it is hereby:

ORDERED that Respondents' Motion is granted; and it is further

ORDERED that Petitioners' motion to confirm the Awards is denied; and it is further

ORDERED that the Awards are vacated.

Dated: _____, 2024

SO ORDERED:

United States District Court Judge